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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/296,538	04/22/1999	SYED S. ALI	ALI-23-3-11	8506

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EXAMINER

SING, SIMON P

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/296,538

Applicant(s)

ALI ET AL.

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 April 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9, 11-20, 22-26 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-20, 22-26 and 28-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 28-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Knuth et al. US 5,400,393.

Knuth discloses a voice mail digital telephone answering device in figure 1 with a controller 20. Knuth teaches that a voice message (user accessible voice message) from a caller is stored in a common memory area (user accessible memory, or first memory area) if no access code is received, or a received access code for directing the voice message to the common memory area (column 2, lines 51-57; column 4, lines 58-66; column 6, lines 60-63). Knuth also teaches that a voice message stored in the common memory area can be moved (deleted from the common memory area) to a particular mailbox (deleted voice message memory, or second memory area, for storing a voice message deleted from the common memory area) once the user presses his mailbox number on a keypad during a playback (column 6, lines 64-68; column 7, lines 1-6; Abstract). Knuth further teaches dynamically allocating (adjusting) mailboxes (memory areas) for optimizing memory space (column 2, lines 30-38; column 5, lines 22-29).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 12-15 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones US 6,522,727 in view of Becker et al. US 5,699,411 and further in view of Carbone et al. US 5, 128,859.

2.1 Regarding claims 1, 12 and 22, Jones discloses a system a method for archiving voice messages in figures 1-5. Jones teaches:

retrieving a voice messages from voice messaging system's memory area (user accessible voice message memory) and storing said voice message in a transfer queue upon a user archiving command from a keypad (column 6, lines 7-13; column 7, lines 16-26, 31-44);

deleting said voice message immediately based on a user's option, from said voice messaging system's memory area (column 8, lines 1-5, 15-19, 33-36);

transmitting said voice message to an archiving system (column 7, lines 53-56) and storing said voice message in the archiving system's memory area (deleted voice message memory for storing a voice message deleted from voice messaging system) (column 8, lines 43-48; column 9, lines 323-36);

Jones fails to teach automatically compressing said voice message when it is archived.

However, Becker discloses a system for archiving voice files (voice messages) in figure 15. Becker teaches compressing archived voice messages to save memory space (column 14, lines 27-33).

In addition, Carbone teaches automatically compressing data files for archiving (column 2, lines 3-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Jones' reference with the teachings of Becker and Carbone, so that archived voice messages would have been automatically compressed and stored in the archiving system, because such a modification would have reduced the memory area (deleted voice message memory) required for storing the archived voice messages.

2.2 Regarding claim 2, Jones' voice messaging system inherently has a telephone line interface for receiving a voice message from a caller at calling station 12 (figure 1).

2.3 Regarding claims 3, 13 and 23, Jones teaches that the archiving system is capable of performing voicemail operation (column 2, lines 14-16), which inherent includes message playback.

Art Unit: 2645

2.4 Regarding claims 4, 5, 14, 15 and 24, Jones teaches that the archiving system is capable of performing voicemail operation (column 2, lines 14-16), which inherent includes deleting messages.

3. Claims 6 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones US 6,522,727 in view of Becker et al. US 5,699,411 and further in view of Carbone et al. US 5, 128,859 and further in view of Yaker US 6,137,864.

The modified Jones reference teaches deleting a voice message from the voice messaging system and storing the deleted voice message in the archiving system. Jones further teaches that the archiving system is capable of performing voicemail operation, but fails to teach deleting the deleted voice message from the arching system.

However, Yaker discloses method for permanently deleting a voice message after the voice message has been deleted by keeping the deleted voice message in memory area for a period of time, such as one day, day or weeks (time interval) before permanently delete it.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Jones' reference with the teaching of Yaker, so that archived (deleted) voice messages would have been deleted in a time interval, such as weeks or months, because such a modification would have purged old archived messages to make room for newly archived messages.

4. Claims 7, 8, 19 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones US 6,522,727 in view of Becker et al. US 5,699,411 and further in view of Carbone et al. US 5,128,859 and further in view of Garson et al. US 5,689,550.

The modified Jones reference teaches deleting a voice message from the voice messaging system and storing the deleted voice message in the archiving system. Jones further teaches that the archiving system is capable of performing voicemail operation, but fails to teach deleting an oldest voice message stored in the trash bin when deleted voice messages reach a predetermined number.

However, Garson discloses an interactive voice messaging system. Garson teaches that when voice messages in a "delete queue" (a memory area) reaches its limit by percentage of memory area, or by number of call (messages), the oldest record is deleted (column 16, lines 23-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Jones' reference with the teaching of Garson so that the oldest voice message in the archive system would have been automatically and permanently deleted when archived voice messages reached a predetermined number, because such a modification would have purged old archived messages to make room for newly archived messages.

Art Unit: 2645

5. Claims 9, 20 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones US 6,522,727 in view of Becker et al. US 5,699,411 and further in view of Carbone et al. US 5, 128,859 and further in view of Sweet et al. US 5,163,085.

The modified Jones reference teaches deleting a voice message from the voice messaging system and storing the deleted voice message in the archiving system. Jones further teaches that the archiving system is capable of performing voicemail operation, but fails to teach deleting the archived voice message from the archive system when the memory of archiving system reaches a predetermined percentage of the capacity.

However, Sweet discloses a digital voice storage and retrieval system in figure 2. Sweet teaches that when voice messages in a voice file (memory) reach a predetermined percentage level, the oldest voice messages in the voice file will be deleted (column 12, lines 53-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Jones' reference with the teaching of Sweet so that the oldest archived voice message(s) would have been automatically and permanently deleted when the memory of the archiving system reached a predetermined percentage of its capacity, because such a modification would have purged old archived messages to make room for newly archived messages.



Art Unit: 2645

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jones US 6,522,727 in view of Becker et al. US 5,699,411 and further in view of Carbone et al. US 5, 128,859 and further in view of Newton US Patent 5,978,757.

The modified Jones reference teaches deleting a voice message from the voice messaging system and storing the deleted voice message in the archiving system. Jones further teaches that the archiving system is capable of performing voicemail operation, but fails to teach using a difference bit rate for compressing the archived voice messages.

However, Newton discloses a system and method for post storage message compaction. Newton teaches that new voice mail messages with lower compression ratio, such as no compression at all, are deleted from new voice message memory area after playback, compressed with a higher compression ratio, and then store in a compressed message memory area (column 4, lines 1-9, 20-32; column 15-18). It is inherent that higher compression ratio has a lower bit rate.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Jones' reference with the teaching of Newton so that an archived (deleted) voice message would have been compressed with a lower bit ration, because such a modification would have clarified the compression ratio and size differentials between a uncompressed and a compressed voice message.

***Response to Arguments***

7. Applicant's arguments filed on 04/11/2005 have been fully considered but they are not persuasive.

a) Claims 28-30 over Knuth: The applicant argues that the Knuth teach dynamically allocating memory areas for incoming and outgoing messages, not for the user accessible voice message memory and the deleted voice message memory. However, as stated in this Office Action, Knuth teaches a common voice message area (a common mailbox which reads on claimed user accessible voice message memory) and one or more individual mailboxes (read on claimed deleted voice message memory since which stores a voice message deleted from the common area). Knuth states in column 2, lines 32-35: " Mailboxes are dynamically allocated to that messages can be partitioned from other individuals' messages or messages stored in a common message area", i.e. Knuth teaches dynamically allocating memory areas among mailboxes.

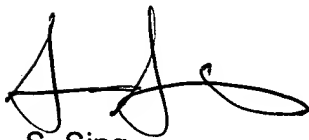
b) Claims 1, 12 and 22 over Jones in view of Becker: The applicant argues that Jones does not teach giving a user keypad option to delete a voice message and the voice message is automatically compressed and stored in another memory area, especially, a user option to archive is not an option to delete. However, Jones teaches a user keypad option to archive a voice message, and upon the archive option is selected, the voice message is automatically deleted from the user's mailbox and saved in the archive system. In Jones, the user mailbox reads on the claimed user accessible voice message memory, the archive system reads on the claimed deleted voice message memory since it stores a voice message deleted from the user mailbox, and

Art Unit: 2645

the archive option reads on the claimed delete option since the archiving command includes delete command for deleting a voice message from the user mailbox. Since the claimed "deleting" means moving, not erasing, and the archiving command also means moving (a voice message is deleted from a mailbox and saved in the archiving system), therefore, Jones teaches the limitation of a user option for deleting a voice message from a keypad.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



S. Sing

12/22/2005

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